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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,656	03/24/2004	Michael A. Rothman	42P16428X	6115
7590	07/09/2008		EXAMINER	
R. Alan Burnett			SHIU, HO T	
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP			ART UNIT	PAPER NUMBER
Seventh Floor				2157
12400 Wilshire Boulevard				
Los Angeles, CA 90025				
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			07/09/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/808,656	ROTHMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	HO SHIU	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 April 2008.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>23 April 2008</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____.                         |

## **DETAILED ACTION**

1. Claims 1-17 are pending in this application. Claims 1-7, 11-14, and 17 have been amended by applicant filed on 04/23/2008.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-8, 11-15, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Leigh et al. (Pub # US 2003/0088655 A1, hereinafter Leigh).**

4. With respect to claim 1, Leigh discloses sharing an input device across a plurality of computing platforms, comprising: ([0028], lines 3-5, [0029], lines 1-4, lines 8-10) routing input data generated at a first server blade to a second server blade, said input data generated in response to receiving an input signal produced by an input device coupled to a first server blade ([0030], lines 5-11); and providing the input data to an operating system running on the second server blade ([0036], lines 1-8, [0037], lines 13-

15).

5. With respect to claim 2, Leigh discloses firmware in a manner that is transparent to the operating system running on the second server blade. ([0030], lines 25-30, [0036], lines 1-8, [0037], lines 13-15).
6. With respect to claim 3, Leigh discloses the input device comprises one of a keyboard and mouse ([0037], lines 6-9).
7. With respect to claim 5, Leigh discloses facilitated by firmware stored on each of the resource host and target server blades ([0030], lines 5-11).
8. With respect to claim 6, Leigh discloses maintaining global resource mapping information identifying the resource host and the target server blades ([0028], lines 5-14, [0029], lines 1-10).
9. With respect to claim 7, Leigh discloses a local copy of the global resource mapping data on each of the plurality of server blades ([0028], lines 5-14, [0032], lines 6-8).

10. With respect to claim 8, Leigh discloses maintaining the global resource mapping data via a central global resource manager ([0028], lines 5-14, [0029], lines 1-10).

11. With respect to claim 4, Leigh discloses sharing keyboard, video and mouse resources across a plurality of computing platforms, comprising ([0030], lines 5-11): routing user input data produced at a resource host server blade in response to user inputs via a keyboard and mouse coupled to the resource host server blade to a target server blade ([0030], lines 26-32, [0032], lines 1-6); providing the user input data to an operating system running on the target server blade ([0032], lines 1-6, [0037], lines 13-15); routing video data produced by an operating system running on the target server blade to the resource host server blade ([0036], lines 8-11, [0061], lines 13-16); and processing the video data at the resource host server blade to generate a video display signal to drive a video display coupled to the resource host server blade ([0061], lines 13-16, [0014], lines 4-7).

12. With respect to claim 11, Leigh discloses the plurality of server blades comprise a plurality of server blades operate in a blade server environment ([0011], lines 13-16).

13. With respect to claim 12, Leigh discloses the method is performed in a manner that is transparent to operating systems running on the plurality of server blades ([0030], lines 25-30, [0036], lines 1-8, [0037], lines 13-15).

14. With respect to claim 13, Leigh discloses facilitated by firmware running on each of the plurality of server blades ([0030], lines 25-30).

15. With respect to claim 14, Leigh discloses sharing of keyboard, video and mouse resources coupled to the first server blade by performing operations including ([0030], lines 25-30, [0033], lines 1-4): routing input data produced at the first server blade in response to user inputs via the keyboard and mouse to a second server blade (figure 2, [0030], lines 5-14); providing the input data to an operating system running on the second server blade ([0037], lines 13-15); and routing video data produced by the operating system running on the second server blade to a video signal generation component on the first server blade ([0036], lines 8-11, [0061], lines 13-16).

16. With respect to claim 15, Leigh discloses instructions comprise firmware instructions ([0030], lines 5-11).

17. With respect to claim 17, Leigh discloses the operations are performed in a manner that is transparent to the operating system running on the second server blade ([0036], lines 1-8, [0037], lines 13-15).

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**19. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leigh as applied to claim 4 in view of Bigelow et al. (US Pub # 2004/0128562 A1, hereinafter Bigelow).**

20. With respect to claim 9, Leigh does not disclose the user input and video data are routed over an out-of-band communication channel.

In the same field of endeavor, Bigelow discloses where the user input and video data are routed over an out-of-band communication channel ([0036], lines 1-7, [0037], lines 10-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Leigh with the teachings of Bigelow in order for communications to occur outside previously established communications method or channel.

21. With respect to claim 10, Leigh does not disclose the OOB communication channel comprises one of a system management bus, an Ethernet-based network, or a serial communication link.

In the same field of endeavor, Bigelow discloses the OOB communication channel comprises one of a system management bus, an Ethernet-based network, or a serial communication link. ([0037], lines 10-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Leigh with the teachings of Bigelow in order for communications to occur outside previously established communications method or channel.

***Claim Rejections - 35 USC § 103***

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. **Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leigh as applied to claim 14 in view of DeCaprio et al. (US Patent # 7,114,180 B1, hereinafter DeCaprio).**

24. With respect to claim10, Leigh does not disclose the article comprises a flash device.

In the same field of endeavor, DeCaprio discloses the article comprises a flash device (Column 5, lines 50-57).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Leigh with the teachings of DeCaprio in order to efficiently erase and reprogram memory and maintain information without the need of power.

***Response to Arguments***

25. Applicant's arguments, with regards to claims 1-33, filed 04/24/2008 have been fully considered but they are not persuasive.

26. On page 9-10 of the Applicant's Response with respect to claims 1, 4, and 14, applicant's argue that Leigh does not disclose "routing input data generated at a first server blade to a second server blade, said input data generated in response to receiving an input signal produced by an input device coupled to a first server blade; and providing the input data to an operating system running on the second server blade."

The Examiner respectfully disagrees with Applicant's arguments. Leigh discloses in [0030] that KVM (keyboard, video, mouse) interface card is contained in each server and also has a master KVM card which has a first port to connect to a set of consol devices including the keyboard, video monitor, and mouse, and a second port to connect to the slave KVM cards. This feature is also shown in Fig. 2. and Fig. 3. Leigh discloses input data from the keyboard or mouse being generated a first server

which is connected to the keyboard, video, and mouse on one of the ports. The first server converts the keyboard, video, and mouse signals into modulated analog signals (signals generated in response to the receiving input) to a second server by use of a daisy chain functionality.

27. On page 10 of the Applicant's Response to claims 1, 4, and 14, applicant's argue that Leigh does not disclose an operating system.

The Examiner respectfully disagrees with Applicant's arguments. Leigh discloses a server. It is inherent that a server must include an operating system or equivalent of, otherwise the server has no capabilities of performing/receiving any functions. Hence when the data is sent to a server, it is inherent that it is providing the data to the operating system or equivalent since the software of the server control/perform/read any functions embedded in the data.

### ***Conclusion***

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HO SHIU whose telephone number is (571)270-3810. The examiner can normally be reached on Mon-Thur (8:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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HTS

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